

## WILEY JONES SETS TRAP FOR THE ENTIRE PROHIBITION AMENDMENT, IS OPINION OF PROMINENT MEMBER OF COCHISE COUNTY BAR

Lawyer States That Any Derogation of Powers, Vested in Congress By the Federal Constitution, By the State of Arizona, Will Nullify the Entire Amendment If It Goes to the Supreme Court of the United States for Final Adjudication.

That Wiley Jones, attorney general of the State of Arizona, is setting a trap for himself in his recent stand on the merits of the United States Supreme Court decision on the case of the Adams Express Co. vs. the State of Kentucky, as it affects the personal privilege contention as regards the State of Arizona, is the opinion of one of Cochise county's leading attorneys.

"If the lower court and the supreme court, subsequently," stated the attorney yesterday, "uphold the Attorney General's contention that Arizona can legislate on matters affecting interstate commerce, it will mean that the whole amendment will be declared unconstitutional by the United States supreme court when it is tried before that tribunal."

"In the first place," said the attorney, "the supreme court of the United States always accepts the construction placed upon a state law by a state supreme court. The stand of the attorney general to the effect that the people of the state of Arizona, through a constitutional amendment, or through legislation, can take any of the powers which are vested solely by the federal constitution in Congress, is erroneous in the extreme and should be upheld by the state supreme court will result in the complete nullification of the entire amendment."

"Jones contends that the Kentucky decision does not apply to Arizona as the constitutional provision is that liquor can not be shipped into Arizona even for personal use."

"The gist of the Adams-Kentucky decision, in the supreme court and all other decisions on the subject, is that any state enactment, whether constitutional or statutory, which interferes with interstate commerce is void under the constitution of the United States and provides that Congress shall have the exclusive control over commerce between the several states."

"If the state constitution makes it unlawful (according to the construction placed upon it by the state supreme court) to ship liquor into the state for personal use, then the amendment is unconstitutional as in derogation of Article I, Section 8, of the federal constitution, providing that Congress shall have the power to regulate commerce between the foreign countries and the several states."

The supreme court, according to the attorney, always takes the construction of the law placed upon it by the supreme court of the state, and if the Arizona supreme court declares that the amendment has derogated the federal constitution it will, of necessity be unconstitutional itself and null and void.

It would appear, from interviews with practically every attorney in Cochise county, that the reasons given above meet with the hearty endorsement of the legal profession as to the legal side of the question. Accordingly, the progress of the final county case and the construction placed upon the amendment by the state supreme court, when the case reaches that tribunal, will be watched with care, and interest.

## COMPARISON OF POLICE COURT ARRESTS AND FINES SHOWS GRADUAL DECLINE IN LAWLESSNESS OVER PERIOD OF THREE YEARS

City Marshal Makes Public Comparison of Arrests and Fines for First Six Months of Years 1913, 1914 and 1915; Latter Shows to Credit of Prohibition; Careful Analysis of All Facts However, Do Not Bear Out the Figures in Statement.

A statement of fines and arrests, compiled by City Marshal James Allison, under public scrutiny, gives a comparison of the transgressions of the peace and quiet of Bisbee for the last three years. The comparison, in which the first six months of 1913, 1914 and 1915 are given, would tend to give Bisbee great credit and, when 1915 is considered, would tend to give prohibition another boost. A close analysis of the entire table, with a knowledge of extraneous conditions, however, takes a great portion of such credit away from the prohibition side.

The table, as prepared by the Marshal, from the records of the city, follows:

Month	Number Of Arrests	Fines Collected
<b>1913</b>		
January	104	\$752.50
February	95	\$23.00
March	133	\$25.00
April	141	\$88.00
May	126	\$71.00
June	130	\$37.00
<b>1914</b>		
January	708	\$4,495.50
February	68	\$640.50
March	90	\$74.50
April	57	\$60.00
May	73	\$97.19
June	91	\$67.50
June	62	\$72.50
<b>1915</b>		
January	510	\$3,332.20
February	23	\$300.00
March	29	\$25.00
April	11	\$7.50
May	11	\$0.00
June	23	\$123.00
June	29	\$176.50

It will be seen from reference to the above table that taking the first six months of the three years as a criterion, the amount of fines collected and the number of arrests made has been gradually on the decline. There are several reasons advanced for this fact.

In the first place, Bisbee might have

**ACTION OF SINGLE SPOONFUL SURPRISES MANY**

Bisbee people who bought the simple mixture of buckthorn bark, glycerine, etc., known as Adler's, are surprised at the INSTANT effect of a SINGLE SPOONFUL. This remedy is so complete a bowel cleanser that it is used successfully in appendicitis. Adler's acts on BOTH upper and lower bowel and ONE SPOONFUL relieves almost ANY CASE of constipation, sour or gassy stomach. ONE MINUTE after you take it the gases rumble and pass out.

J. M. BALL, Druggist  
The Lowell Drug Co., at Lowell, reports great success there.

It was stated yesterday that the police court dockets disclosed more arrests and more fines, for the months of July and August, 1915, than they did for the corresponding months last year. Both the Marshal and the City Magistrate declared that, if the present record was maintained during the balance of the year, the business of the last half of this year would far outdistance that of the corresponding periods of last year and even come up to that of the year before.

That prohibition has had its effect toward an elimination of promiscuous drinking there can be no doubt. It is shown, from an investigation of official records and from following police court work, closely, for nearly two years, that where there are fewer men drinking at the present time the proportion of drunkenness is four or

five hundred per cent greater.

It might also be stated that the same condition obtained in Bisbee, during the first six months of this year, as they did last year, during the last six months. The panic, or the fear of one, still started into the faces of the people. Those who had remained and who had secured work were occupied with the business of paying their debts before branching out into social prominence by obligatory visits before Judge Tolman. With the return of good times, with the guarantee of the stability of the District and of conditions, however, it would seem, from close observation on the subject, that there is quite as much trouble, everything taken into consideration, as there has been for several years past.

With the advent of the present city administration the announcement was made that the city court was not meant to produce revenue. Accordingly, Marshal Allison, with City Police Judge Walter Thomas, decided that fines and paid sentences would only be made upon the most provoked cases and when fines could be eliminated and diverted to the families of the offenders that policy would be followed out. The present administration took office in June, 1914. With the election of G. W. Tolman to the office of justice of the peace and, subsequently, his appointment as city magistrate this policy was again pronounced by these two departments of the city.

Furthermore, on or about the first day of August, 1914, panic stalked abroad in the land, men were laid off, and those who remained did not know how secure their work was. Accordingly the business of the police court fell off to a remarkable degree. There was little drinking. The single men left the District, searching for employment elsewhere. The latter part of the year, 1914, is not given by Marshal Allison but in comparison with the two months, just past, would not afford a likely comparison in favor of the abolishment of the liquor traffic.

It was stated yesterday that the police court dockets disclosed more arrests and more fines, for the months of July and August, 1915, than they did for the corresponding months last year. Both the Marshal and the City Magistrate declared that, if the present record was maintained during the balance of the year, the business of the last half of this year would far outdistance that of the corresponding periods of last year and even come up to that of the year before.

That prohibition has had its effect toward an elimination of promiscuous drinking there can be no doubt. It is shown, from an investigation of official records and from following police court work, closely, for nearly two years, that where there are fewer men drinking at the present time the proportion of drunkenness is four or

Egyptienne

# LUXURY

CORK TIP CIGARETTES

In the NEW FLAT BOX with the protective inner foil and outer linen paper wrapper.

15 Cents



NO OTHER manufacturer ever offered a cigarette of "Luxury" grade for less than 25 cents.

This is the HIGHEST CLAIM ever made for a 15-cent cigarette. It means that "Luxury" gives you almost double quality value for your money.

We say to our competitors: "You cannot deny this. You KNOW that it is true." You say to the cigarette smokers in America: "Don't pay 25 cents for cigarettes until you have tried 'Luxury' IN THE NEW FLAT BOX."

*Synagros* Makers of the Highest Grade Turkish and Egyptian Cigarettes in the World

No other 15 Cent Cork Tip Turkish - Egyptian Cigarette approaches 'Luxury'! This is fact. S.A.

## ALL STARS WINNERS IN CLOSE CONTEST

Bisbee Improvement Co. Loses Game at Automatic Baseball Court; Bowen Is Star.

The All Stars defeated the Bisbee Improvement Co. last evening at the Automatic Baseball court, by a score of 118 to 111 before a large and extremely enthusiastic crowd. Several sensational hitting rallies kept the fans keyed to fever pitch. Bowen, with 33, battled his team to the win, while his associate, Montz, was a far

second with 28. For the losers Hedgecock led with 33 and Brayfield followed with 27.

Tonight the Y. M. C. A. will contend with the strong hitting lads from So. Bisbee. Manager Whiteside is having hard work to accommodate the big crowds of spectators and is expecting to be forced to install more seats.

## NOTHING FROM BERLIN

WASHINGTON, Sept. 8.—No word from Ambassador Gerard regarding the German note had been received when the State Department closed tonight. Coded dispatches usually require four hours or more for transmission.

## DISTRESS IN SYRIA.

ALEXANDRIA, Egypt, Sept. 8.—The latest throng of refugees to be brought here from Beirut by the United States collier Caesar state that the economic distress in Syria is becoming more acute every day. Lack of transport is in part responsible. Improper fuel has burnt out the locomotives; so there is only one train a week between Beirut and Damascus and the Aleppo-Rayak service has been reduced to one train every three days. Meantime the number of horses, mules and camels is constantly reduced by commandeering. Outbreaks are feared as the result of famine. There is a credible rumor that the Turks are cutting down olive trees for fuel. Many of these trees are centuries old, and their loss will bring further miseries after the war is over.

The Syrian Protestant College, an American institution, not only has had the compulsory teaching of Turkish imposed on it by Djemal Pasha, but the refugees say Turkish is also made the principal language of instruction.

## SINK TURK TRANSPORT

LONDON, Sept. 8.—An Athens dispatch to the Exchange Telegraph says a British submarine, operating in the Sea of Marmora, sunk a Turkish transport which was carrying twenty-eight centimeter guns from Constantinople to Gallipoli.

## F4 ABOUT CLEARED.

HONOLULU, Sept. 8.—The clearing of the submarine F-4 is practically completed. The hull will be towed to Pearl Harbor to await such disposition as the Navy Department may order. There are little hopes entertained of further identifications of the remains, most of them being unrecognizable fragments. Officials are reticent regarding the investigations of the cause of the disaster and refer all inquiries to Washington.

## VIENNA MAKES CLAIM.

VIENNA, Sept. 8.—In fighting near Podkamlen on the Russo-Galician frontier, at Radzilow in Russia the Russians were forced to retreat on a front of fifty-six miles, according to the official communication.

## How's This?

We offer One Hundred Dollars Reward for any case of Catarrh that cannot be cured by Hall's Catarrh Cure.

F. J. CHENEY & CO., Toledo, O. We, the undersigned, have known F. J. Cheney for the last 15 years, and believe him perfectly honorable in all business transactions and financially able to carry out any obligations made by him.

**OFFICIAL COCHISE COUNTY MAPS**  
Containing Topography, Railroads, Subdivisions and County Roads.  
Absolutely the latest reliable data. Blank, 5 ft. x 5 ft. \$15.00.  
25 in. x 25 in., \$7.50.  
J. S. McNeish, C. E.  
P. O. Box 70, Office Maze Bldg., Bisbee, Arizona.

## U. S. Loan Office

Main Street

## YOUR GREATEST ASSET

IS YOUR EYES

Don't Neglect Them

Our optical department is at your service where our expert optician will examine your eyes, and only prescribe glasses when they are absolutely necessary. Our past record is our best endorsement.

L. L. GILMAN

We Grind our own lenses.

Jeweler and Optician

## GETTING READY FOR McFARLAND-GIBBONS BATTLE ON SEPT. 11



Converting Brighton Beach Motorhome into arena for McFarland-Gibbons battle; Packey McFarland at his training camp.

The participants, the arena and the sporting public will soon be all in readiness for the big battle which is to be pulled off between Packey McFarland and Mike Gibbons at the Brighton Beach Motorhome on Sept. 11. The \$32,000 purse is the largest sum of money for which fighters of the McFarland-Gibbons class have ever contended. And the interest of fight fans is quite equal to the size of the purse. William G. Marshall, the promoter of the bout, is not worrying about the financial results of the venture. It is estimated that over 50,000 fans will travel down to Brighton Beach to witness the ten-round scrap.

Among sport fans there is much speculation as to whether McFarland will attempt to win by a knockout. He usually wins his fight by outpointing his man. There's a chance in this battle, however, that if Mike Gibbons hurts McFarland he'll start Packey swinging the K. O.